



Docket No: 0633.0001C

PATENT

DECLARATION AND POWER TO PROSECUTE

As a below named inventor, I hereby declare that:

My residence, mailing address and citizenship are as stated next to my name.

I believe the inventor(s) named below to be the original and first inventor(s) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

Improved Therapeutic Back Exercise Machine

the specification of which:

[] is attached hereto;

[X] was filed on May 20, 2004 as United States Application Serial No. 0633.0001C or PCT International Application No. _____ and was amended on _____ (if applicable).

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment specifically referred to above.

I acknowledge the duty to disclose information which is material to patentability as defined in 37 C.F.R. §1.56, including for continuation-in-part applications, material information which became available between the filing date of the prior application and the national or PCT international filing date of the continuation-in-part application.

I hereby claim foreign priority benefits under 35 U.S.C. §119(a)-(d) or (f), or §365(b) of any foreign application(s) for patent, inventor's or plant breeder's rights certificate(s), or §365(a) of any PCT international application(s) which designated at least one country other than the United States of America listed below, and have also identified below any foreign application(s) for patent, inventor's or plant breeder's rights certificate(s), or any PCT international application(s) having a filing date before that of the application(s) on which priority is claimed.

Prior Foreign Application(s)

| APPLICATION NUMBER | COUNTRY | DATE OF FILING (day, month, year) | PRIORITY NOT CLAIMED | CERTIFIED COPY ATTACHED? |
|-----------------------|---------|--------------------------------------|--------------------------|--|
| | | | <input type="checkbox"/> | <input type="checkbox"/> YES <input type="checkbox"/> NO |
| | | | <input type="checkbox"/> | <input type="checkbox"/> YES <input type="checkbox"/> NO |

I hereby claim the benefit under 35 U.S.C. §119(e) of any United States provisional application(s) listed below:

60/472,112
(Application Number)

21/05/2003
(Filing Date) (day, month, year)

(Application Number)

(Filing Date) (day, month, year)

I hereby claim the benefit under 35 U.S.C. §120 and/or §365 of any United States application(s) or of any international application(s) designating the United States of America that is/are listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior application(s) in the manner provided by the first paragraph of 35 U.S.C. §112, I acknowledge the duty to disclose to the U.S. Patent and Trademark Office all information known to me to be material to patentability as defined in 37 C.F.R. §1.56 which became available between the filing date(s) of the prior application(s) and the national or PCT international filing date of this application:

Prior U.S. Application(s) or PCT International Applications Designating the U.S. for benefit under 35 U.S.C. §120

| U.S. APPLICATIONS | | | STATUS <i>(check one)</i> | | |
|---------------------------------------|-------------------------------------|--------------------------------|---------------------------|--------------------------|--------------------------|
| U.S. APPLICATION NO. | U.S. FILING DATE (day, month, year) | | Pending | Patented | Abandoned |
| | | | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| | | | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| PCT APPLICATIONS DESIGNATING THE U.S. | | | | | |
| PCT APPLICATION NO. | PCT FILING DATE (day, month, year) | U.S. APPLICATION NOS. (if any) | | | |
| | | | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| | | | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

As a named inventor, I hereby appoint the registered practitioners of EDELL, SHAPIRO & FINNAN, LLC included in the Customer Number provided below to prosecute this application and to transact all business in the U.S. Patent and Trademark Office connected therewith; I further direct that correspondence concerning this application be directed to:

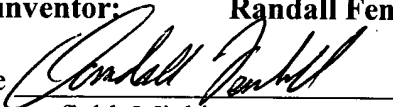
EDELL, SHAPIRO & FINNAN, LLC
1901 Research Boulevard, Suite 400
Rockville, MD 20850
Phone: (301) 424-3640
Fax: (301) 762-4056

CUSTOMER NUMBER: 27896

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full name of first inventor: **Randall Fenkel**

Inventor's signature



Date

8/21/04

Residence: West Bloomfield, Michigan

Citizen of: US

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Full name of second inventor:

Inventor's signature _____

Date _____

Residence: _____

Citizen of: _____

Address: _____